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12 **UNITED STATES DISTRICT COURT**

13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 CITY OF LOS ANGELES,

15 Plaintiff,

16 v.

17 WILLIAM P. BARR, Attorney
18 General of the United States, *et al.*,

19 Defendants.

Case No. 2:18-cv-07347-R-JC

**NOTICE OF MOTION AND JOINT
MOTION TO PARTIALLY
VACATE JUDGMENT PURSUANT
TO FED. R. CIV P. 60(b);
MEMORANDUM OF POINTS AND
AUTHORITIES**

Date: June 17, 2019

Time: 10:00 a.m.

**NOTICE OF MOTION AND JOINT MOTION BY PLAINTIFFS AND
GOVERNMENT DEFENDANTS TO VACATE JUDGMENT
PURSUANT TO FED. R. CIV P. 60(b)**

PLEASE TAKE NOTICE that on June 17, 2019, at 10:00 a.m., or as soon thereafter as counsel may be heard, if a hearing is deemed necessary, before The Honorable Manuel L. Real, in Courtroom 880 on the Eighth Floor of the Edward R. Roybal Federal Building and United States Courthouse, 255 East Temple Street, Los Angeles, the plaintiff and the defendants will jointly move, and hereby do move, to partially vacate the order and injunction entered in this case on February 15, 2019 (ECF No. 62), pursuant to Fed. R. Civ. P. 60(b), solely to the extent the order and injunction relate to the Gang Suppression Planning Grants Program for Fiscal Year 2018.¹

This joint motion is based on the following Memorandum of Points and Authorities, the evidence and records on file in this action, and any other written or oral evidence or argument that may be presented at or before the time this motion is heard by the Court.

Dated: May 31, 2019

Respectfully submitted,

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/s/ Neema T. Sahni

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Managing Senior Assistant City Attorney

/s/ Daniel D. Mauler

MICHAEL DUNDAS, SBN 226930

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¹ The parties are not requesting any relief herein that would affect the aspect of the Court's injunction that concerns the Byrne JAG program.

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MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff City of Los Angeles and Defendants William P. Barr, in his official capacity as Attorney General; Matt Dummermuth, in his official capacity as Principal Deputy Assistant Attorney General of the Office of Justice Programs; and the U.S. Department of Justice (collectively, the “Parties”) respectfully move that this Court, pursuant to Fed. R. Civ. P. 60(b), partially vacate its Order of February 15, 2019 (ECF No. 62) solely as to that aspect of the Order which relates to the Gang Suppression Grant Program.

The grounds for this joint motion for vacatur are set forth in the Joint Motion For Indicative Ruling Under Fed. R. Civ. P. 62.1 (“Joint Indicative Ruling Motion”), ECF 69. In granting the Parties’ motion for an indicative ruling, this Court stated that, should this case be remanded by the Court of Appeals for purposes of ruling on a motion for such vacatur pursuant to Rule 60(b), the Court would grant the vacatur motion. Order, May 10, 2019, ECF No. 74. On May 20, 2019, the Court of Appeals remanded this case for the purpose of allowing this Court to rule on the moving parties’ vacatur motion. *See* Order, ECF 75. Accordingly, the moving parties respectfully request that, in accordance with its May 10, 2019, Order, and for the reasons specified in the moving parties’ Joint Indicative Ruling Motion, the Court grant partial vacatur of its February 15, 2019 Order and the resulting injunction solely as they relate to the Gang Suppression Grant Program.

CONCLUSION

For the reasons set forth in the moving parties' Joint Motion For Indicative Ruling, and as the Court indicated it would rule upon remand of this matter, the moving parties respectfully request that the Court, pursuant to Fed. R. Civ. P. 60(b), partially vacate its February 15, 2019 Order and resulting injunction, solely as they relate to the Gang Suppression Grant Program, without prejudice to reinstatement after further motion practice regarding those requirements.

Dated: May 31, 2019

Respectfully submitted,

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ATTESTATION OF SIGNATURES

I, Daniel D. Mauler, hereby attest, pursuant to Local Civil Rule 5-4.3.4(a)(2) of the Central District of California, that all signatories identified on this document concur in the document's content and have authorized its filing.

/s/ Daniel D. Mauler
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